Informed Choice agreements with other training and employment-focused agencies in the State. Key to this collaboration is the provision of services though the one-stop service delivery model. Disability, according to the Rehabilitation Act, does not diminish the rights of individuals with disabilities to review their options and The WIA provides the framework for a reformed national work force make choices about services and employment. One of the most training and employment program designed to meet the needs of the important provisions in the recent Amendments, therefore, is to nation's employers and job-seekers. ensure that individuals with disabilities take an active part in making decisions about their future. The ultimate goal is to establish a seamless delivery network through partnerships among the agencies, organizations To exercise informed choice, individuals with disabilities need to be Linking the Rehabilitation Act and institutions focused on employment in the fully informed about and thoroughly understand what their options with the Workforce Investment State. are and the positive and negative consequences of each option. Act effectively consolidates employment and training The 1998 Amendments to the Act further Based on that information, individuals select: programs into a unified strengthen the VR program by: statewide workforce investment Their respective employment outcomes -- the kinds of jobs system that can help a greater Expanding options for individual choice they want number of people prepare for and obtain meaningful Services they will need from the VR program to accomplish Streamlining administrative procedures those outcomes Improving due-process provisions Providers who will deliver those services Individuals with disabilities, including individuals with the most How services will be acquired significant disabilities, have demonstrated their ability to achieve gainful employment in integrated settings when appropriate In this way, the exercise of informed choice engages eligible supports and services are provided. individuals as full partners in the planning, implementation and evaluation of their plans for employment. Since passage of the Rehabilitation Act in 1973, the VR program has continued to evolve and expand into today's program of informed In cases where individuals have disabilities that inhibit them from choice and quality employment outcomes for individuals with all actively participating in the VR process, they have the right to get types of disabilities. Nationwide, VR programs serve more than one help from family members, guardians, advocates, or other million people with disabilities each year. More than 200,000 of representatives. those individuals annually enter or return to the labor market or become self-employed. Right from the start, when they first consider employment outcomes, and later, when they lay out strategies to accomplish Three-fourths of the people who use State VR services are those outcomes, eligible individuals and their representatives will significantly disabled. For them, the VR program is indispensable to need information to help them make good decisions. becoming employed and reducing their reliance on public support. Informed choice ensures that eligible individuals have easy access to The process of applying for services is a simple one. It begins with the information they need to make those decisions. For that purpose, requesting services from the State VR agency. This can be done State VR agencies are responsible for providing the information through the preparation and submission of a written application, or needed to make informed choices. States have different ways of through the provision of the information necessary to begin the addressing this requirement. assessment portion of the application process. **The Application Process** Foremost, a qualified VR counselor is assigned to work with each The applicant can either apply in person at the applicant and eligible individual through the major stages of the VR local VR agency, or request an application Three easy steps: process -- application, service provision and employment. The role of through the mail. the counselor is to ensure that the individual has all the information, Requesting vocational resources and options needed to make informed choices. The application process is designed to collect rehabilitation services from the information about the individual to help State agency States also offer information and referral services that provide determine eligibility for program services. applicants and eligible individuals with accurate VR Once the application or necessary information Providing personal information information and linkages to other resources. This information may be is submitted to the State agency, a VR about the applicant sufficient to contained in brochures, pamphlets, booklets, videos or other counselor is assigned to work with the start the eligibility-determination media, including materials in accessible format. applicant, not only to determine eligibility, but effort to provide ongoing guidance and assistance Finally, all States are required to establish a Client Assistance throughout the VR process. Under the Act, Determining eligibility by the Program (CAP). The CAP informs applicants and eligible State VR agencies are required to establish high State VR agency, which should be individuals of their rights and benefits under the Act. Upon request, standards for hiring and retaining completed within 60 days of CAPs provide applicants and eligible individuals support and knowledgeable and qualified VR counselors. application advocacy assistance in their relationships with projects, programs and service providers funded under the Rehabilitation Act. They To speed things up, applicants can: facilitate access to services at both the individual and program levels, and are another important source of information and Provide complete work histories, including wages and job assistance to ensure that individuals with disabilities make informed duties choices. Meet with the VR counselor to provide information about their **Applying For Services** disability and how their disability impedes employment Ask if there are any forms they can complete ahead of time All individuals with disabilities, no matter how significant the disability, can apply for VR services if they are interested in gaining Complete any exams or tests needed employment. 1 Begin to think about the type of work they can and want to 4 **⑤** Highlights of the 1998 **Eligibility for Services** Amendments... Any individual who has a disability that hinders that individual from getting a job is potentially eligible for the VR program. This includes Streamline State plan requirements individuals with significant disabilities that seriously limit functional reducing them from 36 to 24 capabilities, such as communication, mobility, self-care, interpersonal skills, work tolerance, or work Align the Rehabilitation Act with the Workforce Investment Act of 1998 An individual is eligible for VR services if he or she: Individuals with disabilities who are Make expanded information and referral receiving benefits from the Social Security Has a physical or mental services available to individuals, including Administration are presumed to be eligible impairment which constitutes those individuals who cannot receive or results in a substantial for VR services since they have already gone service under an order of selection impediment to employment through a stringent eligibility-determination process for social security benefits. • Can benefit in terms of an Establish a requirement for state VR Presumptive eligibility both speeds employment outcome from agencies and State Rehabilitation Councils up and simplifies eligibility determination. the VR program to jointly conduct comprehensive needs Requires VR services to prepare assessments and set and report on goals Under presumptive eligibility, an for, enter, engage in, or retain for delivering services individual who is receiving Supplemental employment Security Income (SSI) and Social Security Simplify procedures for determining Disability Insurance (SSDI) benefits, is eligibility by establishing presumptive presumed eligible unless it can be demonstrated by clear and eligibility for SSI recipients and SSDI convincing evidence that the individual cannot benefit from services beneficiaries in terms of an employment outcome. Strengthen the roles and participation of When resources are limited, not all eligible individuals may receive eligible individuals in developing their plan services. A State that does not have sufficient funds to serve all individuals who apply is required to establish an order of selection to for employment determine the order in which eligible individuals will be provided Add voluntary mediation as an option for resolving disputes As funding becomes available, individuals are served according to the order of selection. Individuals with the most significant Establish a second-level review by an disabilities are given priority over those with less significant official other than the VR program director disabilities. before a dispute proceeds to court, at the option of the State.

employment.

The Vocational Rehabilitation

Program

The VR program is one of the nation's oldest Federal programs that provide grants and aid to States. First established by the Smith-Fess Act over 80 years ago, State VR programs have helped more than

Each State operates a comprehensive VR program. Some States elect to operate a separate VR program to provide employment-related

Through the State-operated program, eligible individuals receive the VR services necessary to help them attain employment consistent with their abilities, strengths, and interests. Each individual's vocational rehabilitation plan is different, reflecting the unique needs of the individual. The underlying goal of the VR program, however, is always the same -- to assist individuals with disabilities

The 1992 Amendments to the Act focused the program on acquiring meaningful employment for people with disabilities. The intention is not just to find jobs, but to find jobs that are consistent with an individual's skills, capabilities, interests, and priorities. The Amendments also established a clear policy that eligible individuals be viewed as equal partners and active participants in the VR process. This policy is implemented through the exercise of informed

The Act was amended again in 1998. In August of that year, President Clinton signed into law the Workforce Investment Act (WIA), which included additional amendments to the Rehabilitation Act and reauthorized the Act for another five years.

The 1998 Amendments include numerous provisions that link the VR program to a State's work force investment system. Under those provisions, VR agencies are required to establish cooperative

nine million people acquire employment.

services to blind and visually impaired individuals.

to obtain satisfying jobs with good pay and benefits.

choice.

the rights of privacy of all individuals with disabilities The stroke left Denise with cognitive deficits and slow who apply for VR services are respected and protected processing speed. A widow and by the State VR program and its representatives. In all mother of a five year-old son, stages of the process, qualified VR counselors are she had no high school diploma, and her work experience prepared to guide and advise applicants on eligibility consisted of basic clerical duties. determination policies and procedures. She was doubtful that she could Assessing and Evaluating Eligibility Partnering with her VR counselor to identify her strengths and abilities and to The State VR agency must make maximum use of develop a rehabilitation and available and current information to determine employment strategy, Denise entered a head-injury program eligibility. If more information is required, however, where she improved her basic the agency may conduct assessment and academic skills, received her GED, and raised her confidence. evaluation activities to obtain the data needed to She scored well in simulated determine eligibility. computer job experiences, and entered a one-year program at a The 1998 Amendments encourage trial work experiences, including support and training, as part of She now provides instruction in small classes, conducts the assessment and evaluation process. Real-life work individual tutoring, and assists experiences can be an effective indicator of whether the in job placement. In her spare time. Denise continues to work individual can benefit from VR services in terms of an with her VR counselor and employment outcome. provides peer counseling to other VR program participants. Sometimes the assessment and evaluation of the functional limitations imposed by the physical or mental

Determining Eligibility

To determine eligibility, States gather information from a variety of

sources including the Social Security Administration, schools, the applicant, and the applicant's family or representatives. The

family's financial situation.

Widow and Mother Gets Job

Denise, who was only 44 years old when she experienced a

stroke and heart attack, now has a job at a local college that

provides her with a salary and

and Inspires Others

benefits.

ever work again.

technology institute.

The 1998 Amendments to the

upon the role of the eligible

Rehabilitation Act expand

applicant may also need to provide medical and

educational records and other documentation on work

history and training experiences. Application to the program may also include pertinent information on the

Only information relevant and necessary to carry out

the purpose of the program is collected. In addition,

individual as a collaborating employment outcome. The Plan must include a partner in the development, time line demonstrating when services will be implementation, monitoring, initiated and how much time achieving the and evaluation of his or her outcome is expected to take. own plan for employment. The IPE also must identify the assistive technology devices or personal assistance services that will be needed by the individual to complete training and succeed in employment. Service providers. Eligible individuals can select the organizations or institutions that provide services. The IPE must identify those organizations and institutions and the means through which their services will be purchased and accessed. Evaluation criteria. Progress toward achieving the individual's employment outcome is continually evaluated. The Plan must identify the methods and information that will be used to monitor and measure that progress. Terms and conditions. Since the IPE is in fact an agreement between the eligible individual and the State agency, it must include terms and conditions that describe the responsibilities of the State

employment outcome consistent with the eligible individual's unique strengths, resources, priorities, concerns, abilities,

capabilities, interests and informed choice.

VR services. Each IPE must present the range

of VR services necessary to achieve the

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A Working Partnership

Both in law and in practice, applicants and eligible individuals and

their designated representatives are full partners in the VR process.

The personal level, in the development and implementation of

The program level, in the development and implementation of

The eligible individual has the lead role in creating and carrying out

This is a fundamental policy of the program.

This partnership is carried out at two levels:

Participating at the Personal Level

the individual's employment plan

vocational rehabilitation policy.

VR counselors are qualified to:

The Plan also must include a description of the responsibilities of

other organizations and institutions that are involved in providing

Supported employment settings. Individuals with the most significant disabilities may need extended support and assistance in integrated job settings to achieve their employment outcomes. The needs, and strategies for meeting them, must be

agency as well as those of the individual.

services.

identified in the IPE.

his or her plan for employment. The qualified VR counselor assists that individual in making informed choices by providing important information on all aspects of the VR program. VR counselors are trained and prepared to guide the applicants and eligible individuals through the VR process.

Explain policies and procedures Apprise individuals of their rights Assist in the development of the IPE

Provide ongoing counseling and guidance

Coordinate the delivery of services

Link applicants and eligible individuals to resources Review and evaluate progress

Awarded Scholarships,

Brian, injured in an auto

business administration

and is now working for a

on intelligence during the

counselor agreed that he

The VR office provided

instruction and vehicle

assessment stage of the VR

process. Both Brian and his

should enter the business field

modifications to allow Brian to drive his own van. The office is

services to help him adjust to his job and assistive technology

so that he can perform more efficiently. Brian's employer is

expecting to move him into a

supervisory position in the

services to modify his work site

retention assistance.

now offering job-coaching

for the company.

goal in the IPE.

accident over fifteen years ago,

program at a state university

private contractor operating

became an honor student in the

photo ID drivers license centers

Working in partnership with his

VR counselor, Brian tested high

Performance

help eligible individuals achieve their respective employment outcomes. All VR services are directed at assisting individuals with Forty-Year Old Quadriplegic disabilities prepare for, get, and keep jobs. Graduates with Honors, and VR services are selected by the eligible individual through Receives High Marks on Job

vocational aptitudes.

Scope of VR Services

State VR programs offer, directly or indirectly, a range of services to

the exercise of informed choice and are incorporated

into the IPE. Although services are selected by the

individual, they must be approved by the State VR

Assessments to determine eligibility, identify VR

needs, assess functional capabilities, and determine

Vocational evaluation of aptitudes, general

Personal assistance, such as on-the-job assistance

and other related assistance eligible individuals receive in

Examples of services the VR program offers include:

abilities, work tolerance, and vocational potential. and set that as his employment Counseling to help applicants and eligible individuals understand their potential, set vocational goals, develop successful work habits, and begin satisfying careers.

> Education and training, including basic academic, vocational, technical education and education in institutions of higher learning, as well as independent living, work adjustment and on-the-job training. Job-related services, such as job search, placement, and

conjunction with other services.

These services include: Assessments to determine eligibility and VR needs Vocational counseling and guidance

Before providing VR services, a counselor must first determine

whether other sources, such as medical insurance or Medicaid, can

However, a counselor is not required to look for comparable services

or benefits if an eligible individual is at extreme medical risk;

immediate job placement would be lost; or there would be a delay in

aim of these partnerships is to facilitate a seamless service-delivery

system that can provide uninterrupted services to eligible individuals.

How Services Are Delivered State VR agencies have established collaborative partnerships with a broad spectrum of public agencies and private providers. The overall

Referral to other agencies and organizations

Job search and placement

the provision of services.

provide comparable services or benefits.

State agencies employ a variety of arrangements with other organizations and programs to provide services. Cooperative Agreements

State VR agencies are required to establish cooperative agreements with agencies and organizations that are part of the statewide work

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Councils and Centers

force investment system. These agreements require agencies and organizations to plan and coordinate program-related activities through the exchange of information, cross-training and technical assistance.

Coordination with State Independent Living

Cooperative Agreements with Grantees Providing Service to American Indians Many States have entered into cooperative agreements with agencies and organizations that receive grants to provide services to American

Indians. The purpose of the agreements is to coordinate planning and information sharing to ensure that eligible American Indians with disabilities have access to the full range of VR services. **Appeal Rights**

wants to attain. Each IPE must present and describe an

1 VR counselors are the front-line representatives of the State VR

applicants and recipients of VR services, or their authorized representatives if they have difficulty in representing themselves because of their disability. The Governor is responsible for appointing individuals to the SRC. The SRC is the key organization within which eligible individuals can exercise their most important roles in program planning and decision-making at the State level. 13

physical and occupational therapy, wheel chairs, or automobile hand controls. Physical and mental restoration, including

who are blind or visually impaired.

is receiving certain VR services.

achieve employment outcomes.

assistance and sensory and other technological aids and devices. Supported employment assistance for individuals with the most significant disabilities who are on the job and need help in achieving their employment outcomes.

the State VR agency may require the individual to help pay for services. Some services are available, without charge, to all eligible individuals regardless of their financial resources.

in statewide workforce investment activities. By means of the partnerships formed through cooperative agreements, VR agencies can link to: Physician Assistant Earning **Employment statistics** Over \$60,000 a Year is

The cooperative agreements promote equal, effective, and meaningful participation on the part of individuals with disabilities

Career-planning tools undergo a bilateral hip replacement. Having been in construction, a business that Job-placement opportunities required a great deal of physical exertion, Tim now had to choose another career. He Interagency Cooperation with Other

Further collaborative arrangements can be established with Federal, State, and local programs that are not part of the statewide workforce investment system. The VR agency may contract to use the services and facilities of these other agencies to meet its VR goals. employment and relocation to Coordination with State Education an area with a more amenable climate. Agencies With the help of the program, Tim traveled west to take on a State VR agencies and State education agencies are job as a physician assistant required to establish interagency agreements. The that pays him \$60,000 a year. purpose of these agreements is to ensure the effective transition of students with disabilities from the services

Federal and State laws, regulations, and policies. Under the Act, States are required to establish a State Independent Living Council and Centers that offer services to promote with the State VR agency. CAP services are available at no cost. independent living. State VR agencies work closely with the State Council and Centers to coordinate planning and service delivery. In most instances, services to the individual continue pending resolution of the dispute. Individuals with disabilities ...

Want to work If applicants or individuals receiving services from the VR program disagree with decisions made by VR personnel, they can submit an Can work appeal to program authorities. The law requires each VR agency to establish procedures to provide mediation and impartial due process Do work hearings to handle appeals when they arise. The appeal process may be handled by using one or a combination of the following three available procedures: Informal procedure, where applicants, eligible individuals, and/or their representatives settle issues and concerns with the VR agency through informal means, such as negotiation. Mediation, where the individual and/or his or her representatives and the State agency voluntarily agree to work with a neutral third party to reach agreement. 18

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Employment Once an individual has been determined to be eligible for VR services, he or she must then prepare an Individualized Plan for Employment (IPE). Eligible individuals have the choice of developing the IPE on their own, with the assistance of a qualified VR counselor, or with help from other individuals, such as parents or advocates.

impairment may provide the basis for determining that an individual cannot benefit from employment. Such a determination, however, must be made with clear and convincing evidence

Individuals with disabilities who are not determined to be eligible for

VR services are provided information and referral services to help

Developing a Plan for

The 1998 Amendments to the Act streamline the IPE and the process

of preparing it. Replacing the Individualized Written Rehabilitation

Program, or IWRP, the IPE has been refined to simplify the efficient

Exercising the right of informed choice, eligible individuals, during

the preparation of the IPE, select employment outcomes, the services

required to achieve those outcomes, the providers of those services,

Formalized in a written document, the IPE reflects the respective

and how services will be acquired.

and effective attainment of an individual's employment outcome.

them find assistance through other agencies and programs.

generated through trial work experiences.

interests, skills and capabilities of eligible individuals through their participation in the process. The IPE contains seven important components: Employment outcome. The employment outcome describes the kind of employment, including self-employment, the individual

Post-employment services. The IPE also must identify any projected need for additional services once the individual has achieved his or her employment outcome and is on the Dream of Providing Dance job. Lessons to Kids from Lower-Income Families Comes True

Development of the IPE needs to address the following

Individuals must be given the opportunity to

exercise informed choice at every stage of IPE

requirements:

development.

agency.

Faced with a serious history of

turned to her local VR office for

depression, 30-year-old Mary

provided her with a range of

services, including vocational

assessments, counseling, job-

encouraged to pursue her dream

placement, and supported

of operating a dance studio.

arts, and African American

now has more than 100

Dance history to children of all

Mary held her first recital within

four months after opening, and

students enrolled in her classes.

employment. She was

assistance. The VR office

Individuals have the choice of developing the IPE Through public and private on their own, with the assistance of a qualified support - State funding for VR counselor, or with help from other equipment, such as ballet bars, individuals such as parents or advocates. karate equipment, mirrors, and computer and printer - Mary got the resources she needed to The IPE must be prepared on forms provided by start her business. She opened a studio offering dance, martial the State VR agency.

The IPE must be agreed to and signed by eligible

The Plan must be signed by a qualified VR

counselor who is employed by the State VR

individuals or their representatives.

Signed copies of the IPE must be provided to eligible individuals and their representatives in the language or communication mode appropriate to the individual. The IPE must be reviewed by the VR counselor and the eligible individual at least once each year.

agency. They are the main source of assistance for applicants and eligible individuals from the point of application through jobplacement and post-employment. The partnership between the eligible individual and the VR counselor is critical to the success of the program. Participating at the Program Level

For any VR program that is not operated or overseen by a consumer-

controlled Commission established in State law, the VR agency is

The SRC works hand-in-hand with the State VR agency to: assess statewide rehabilitation needs; identify goals and priorities for the

rehabilitation program; review progress made by the program; and

Membership in a Council is made up of a wide range of individuals representative of the at-large community of VR organizations and

institutions in the State. It includes representatives from: the

Independent Living Council; a parent training and information center; the CAP; VR counselors; community rehabilitation program

service providers; disability advocacy groups; the State educational

required to establish a State Rehabilitation Council (SRC).

report on program evaluations.

agency; the State work force investment board; and business, industry, and labor. The SRC also includes representatives from among program

Referral to other agencies and programs when services are not available from the VR program. VR Program Helps Mother of Three Start Home Enterprise Interpreter services for individuals who are deaf or hard of hearing, and reader services for individuals Susan seriously injured her

back while working as a

program on small business

from the VR program to

enterprises, received a grant

knitting machine and a Quick

received training from a VR

consultant. She developed a

business plan, and with help

from several community

a business that produces

customized embroidered

products.

Book accounting program, and

programs in collaboration with

the VR program, Susan opened

turned to the VR program for

purchase a programmable home

paratransit driver. Her condition would not allow her Medical services and equipment, such as to work a traditional job schedule. Referred to a VR counselor, Susan, the mother of three children, developed a plan that would allow her to start a home-based business to provide for her family and corrective surgery or therapeutic treatment to correct or accommodate her disability. modify a physical or mental condition that can get in Susan completed a training the way of employment.

Transition services to bridge the gap from school to post-school activities and employment. Rehabilitation technology, including telecommunications

Maintenance for costs incurred while the individual

Transportation, including training in the use of

public transportation vehicles and systems, and

transportation to participate in services needed to

Depending on the eligible individual's available financial resources,

Beneficiary of Vocational Rehabilitation Program Information on job vacancies After years of degenerative disc disease and rheumatoid arthritis, at age 40, Tim had to

Working closely with a VR counselor, Tim developed a plan and pursued a college program that, upon completion, certified him as a physician assistant. The VR office continued its support with a nationwide search for

Agencies

of the education agency to the services of the State VR program. In practice, agreements provide uninterrupted service and a seamless transition from school to post-school activities and employment.

Formal hearing, during which an impartial hearing officer will hear the facts of the case and make a decision based on provisions in The CAP is available to assist eligible individuals in resolving disputes